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MEMORANDUM FOR THE RECORD

SUBJECT: House Rules Committee Subcommittee Hearings

1. On this date, I sat in as an observer on the first meeting of Representative Ray J. Madden's Subcommittee of the House Rules Committee. This Subcommittee was appointed by Chairman Smith on 25 May 1961 to conduct additional hearings on the various House proposals calling for the establishment of a Joint Committee on Intelligence and one proposal (introduced by Representative Hiestand) to establish a Joint Committee to make continuing studies and investigations during the 87th Congress of all aspects of foreign intelligence activities of the Agency. The Committee is composed of Representatives Ray J. Madden (Chairman) James J. Delaney, B. F. Sisk, Clarence J. Brown and H. Allen Smith. All members of the Subcommittee were present at today's hearing. A shorthand reporter was present to record the hearing. Five or six press representatives were also present.

2. Mr. Madden opened the hearing by saying that he wished to clarify some erroneous impressions which had been gained from various news accounts of the appointment of his Subcommittee. He made it clear that it was not the purpose of his Subcommittee to investigate the Central Intelligence Agency. He said it was the intention of the Subcommittee to hear further testimony on the Joint Committee resolutions and to take whatever additional testimony it feels necessary and report back to the full Committee the Subcommittee's recommendations as to what actions should be taken on these proposals.

3. There was some confusion on the part of the members as to just how the Subcommittee should proceed. It was quite clear, however, that none of the members had any real idea of the role of

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the Agency or how it fit into the Executive branch. However, Representative Smith, who remained silent during most of the open session, commented that he felt he had information on the Agency's activities which he felt would be useful to the other members but which he would give only in executive session.

4. Representative Brown, the ranking minority member of the full Committee, suggested that the Committee start by examining the legislation which created the Agency. At his suggestion, the Chairman read extracts from the provisions of the National Security Act which related to the establishment of the Agency and Section 102(d) of the Act in its entirety. Mr. Brown expressed his belief that this Act was not as restrictive as the Executive Order under which the Central Intelligence Group had previously operated. Referring to the prohibition placed upon the Agency from exercising any internal security functions, Mr. Brown said he wondered how the Agency was authorized to conduct the recent activities attributed to it in Florida.

5. Mr. Madden said he assumed the National Security Council should act as a supervisor of CIA but wondered if the NSC had ever called the Agency in since 1947 to find out what was going on. He referred to numerous references to failures on the part of the Agency and recent criticism concerning its operations. He said he had talked with a number of members of Congress who felt that the CIA was not functioning properly. Mr. Brown commented that he was not at all certain that the so-called failures attributed to the Agency were in fact intelligence failures and for this reason he felt that the Subcommittee's inquiry should not be limited to the CIA and the NSC. Mr. Madden expressed his opinion that intelligence operations were as important as defense operations and said he felt that it had been the intention of the Congress that the NSC be a watchdog of CIA. He added that he wondered if the NSC had ever investigated the Cuban situation.

6. Mr. Delaney commented that it was recognized that there had been failures but the question was who was responsible for these failures. He pointed out that it might not have been the CIA at all. He referred to the existence of the Armed Services Subcommittee for CIA but added that no one knew just what it did.

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7. Representative Sisk expressed his opinion that CIA had been guilty of "commissions as well as omissions" and questioned whether the Agency really had the authority to do the things it was doing.

8. Representative Smith said he felt the Subcommittee's responsibility in this area was quite simple. He felt it should determine what the functions of each department or agency involved in intelligence should be and strongly recommended that the Subcommittee hearings be held in executive session.

9. Representatives Edna Kelly and Emilio Daddario were present throughout this open portion of the Subcommittee session. Chairman Madden asked Mrs. Kelly for her opinion as to whether her testimony should be given in executive session. She said she felt that it should be given in executive session but wished to comment that Mr. Roger Hilsman had been making a study of intelligence functions prior to the Cuban "fiasco" and it was her understanding that the Administration was then considering some reorganization of the intelligence function. She said she wanted to point out to the Subcommittee that CIA had been given authority by the "NSA" to carry out operations. At this point, after approximately 45 minutes of open testimony, the Committee went into executive session.

10. Following the closed portion of the hearing Mr. Madden apparently held a press conference. Some of the statements attributed to him in the AP and UPI releases were neither made nor touched on by him in the Subcommittee's open session. These included his reference to the fact that the Subcommittee would hear from intelligence officials as well as lawmakers, his statement that "something is radically wrong with our intelligence", his references to Suez and Iraq, and his reference to the fact that the Subcommittee would like to hear from representatives of the NSC and the CIA if it desired to appear.

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11. From these comments and the general tenor of the session, it appeared that most of the members of the Subcommittee are, as of today, favorably disposed toward the Subcommittee's recommending some form of further investigation of the intelligence function.



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